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January 15, 2002

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Ms. Kim Ogle, RCRA Project Manager  
United States EPA, Region 10  
1200 Sixth Avenue  
Seattle, WA 98101

FILE COPY

Re: **January 15, 2002 Progress Report**  
**J. H. Baxter Arlington Facility**  
**Docket No. RCRA-10-2001-0086**

Dear Ms. Ogle:

This letter provides the January 15, 2002 progress report for work completed under the Administrative Order on Consent (AOC) for the J. H. Baxter facility during the period December 15, 2001 to January 15, 2002.

## SIGNIFICANT DEVELOPMENTS THIS PERIOD

This section discusses significant developments for the referenced reporting period, including actions performed and any problems encountered relative to work required by the Order. Significant developments that occurred on this project during this reporting period are outlined below:

- Revision 1 of the Site Investigation Work Plan was finalized by the Baxter Team and submitted to EPA on December 19, 2001. Revisions to the original Site Investigation Work Plan were based on our understanding of EPA's comments in a September 9, 2001, email from Kim Ogle to Georgia Baxter and Lori Herman and comments received during meetings with EPA on October 25 and 26, 2001, November 20, 2001, and December 7, 2001.
- Lysimeters L-1, L-2, and L-3 were sampled in accordance with the State Waste Discharge Permit (SWDP) on December 17, 2001. On January 9, 2002, the contract laboratory (Triangle Laboratories under subcontract to Columbia Analytical Services) notified Baxter that internal standard recoveries were outside acceptable control limits for the dioxin analysis of lysimeter sample L-3. Lysimeter L-3 was resampled for dioxin analysis on January 15, 2002, and is being resubmitted for analysis.



- The Daily Monitoring Report (DMR) was submitted to Ecology on December 29, 2001 in accordance with the SWDP requirements for stormwater.
- On January 2, 2002, letters were sent to 25 off-site residents using private groundwater wells notifying them of the second drinking water sampling event scheduled for the week of January 14, 2002. Hart Crowser began calling residents to receive permission to sample their drinking water supplies and to schedule specific times for sampling on January 7, 2002.
- Off-site drinking water wells were sampled on January 14 and 15, 2002, in accordance with Section 51 of the AOC and the EPA-approved Drinking Water Sampling and Alternate Water Supply Work Plan, dated June 18, 2001. Kim Ogle and Rene Fuentes of the EPA observed the sampling and collected split samples for independent analysis.
- Baxter completed sampling of landfill wells during the week of January 7, 2002, in accordance with Snohomish County requirements.
- Baxter began sampling site groundwater wells during the week of January 14, 2002. Sampling will continue throughout the week until completed. Samples will be submitted for analysis in accordance with the SWDP.
- On January 10, 2002, Baxter submitted a letter to Dean Yasuda requesting clarification on the State's "contained-in" approval letter, dated November 21, 2001. The letter also requested a meeting with Ecology and the EPA, to discuss outstanding issues concerning the Excess Stormwater Management System (ESMS).

#### **ANTICIPATED DEVELOPMENTS NEXT PERIOD**

This section discusses developments anticipated during the next reporting period and includes a schedule of actions to be performed.

- Lysimeters L-1, L-2, and L-3 will be sampled during the week of February 11th, 2002, in accordance with the SWDP.



- Sample data from the January 2002 off-site drinking water sampling will be validated and copies of the data will be sent to the EPA and drinking water residents included in the sampling program in accordance with Section 51 of the AOC.
- Any final groundwater data from the January 2002 sampling round that is received from the laboratory and validated in accordance with the SWDP requirements will be summarized and forwarded to EPA.

## **ANTICIPATED PROBLEMS AND PROBLEM RESOLUTION**

This section discusses anticipated problems, and planned resolution of past or anticipated problems.

- The storm water design has been re-evaluated in light of the performance criteria identified in contained-out determination, specifically the requirement to achieve a 0.6 pg/Toxic equivalent quotient (TEQ) for dioxins. J.H. Baxter feels that although the best available technology will be used to remove the dioxin in the storm water, there is a reasonable probability that detection in excess of 0.6 pg/L TEQ of dioxin may occur. A technical letter was submitted to both Ecology and the EPA detailing Baxter's concerns. We anticipate a meeting with both agencies in January to discuss and attempt to resolve the issues.

## **OTHER INFORMATION**

Any other information relevant to the Order is discussed in this section, including results of any sampling or testing completed within the reporting period.

- No other information relevant to the Order was generated during the reporting period.

## **CERTIFICATION**

I certify that this document were prepared under my direction or supervision in accordance with a system designed to evaluate the information submitted. I certify that the information contained in or accompanying this submittal is true, accurate and complete. As to those identified portions(s) of this submittal for which I cannot personally verify the accuracy, I certify that this submittal and all attachments were



designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those directly responsible for gathering the information, or the immediate supervisor of such person(s), the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: RueAnn Thomas

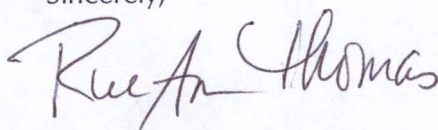
Name: RueAnn Thomas

Title: Environmental Programs Director

Date: 1-15-02

We trust this letter meets the intent of the Progress Report per Paragraph 71 of the AOC. If you have any questions, please contact me at 541-689-3801.

Sincerely,



RueAnn Thomas  
Environmental Programs Director

cc: Georgia Baxter, J. H. Baxter  
Mary Larson, J. H. Baxter  
Sara Beth Watson, Steptoe and Johnson  
Will Abercrombie, Hart Crowser Inc.  
Les Brewer, Premier Environmental Services, LLC.